

EXHIBIT E

Turner, Robert C.

From: Kozusko, Dan [dkozusko@willkie.com]
Sent: Friday, November 05, 2010 6:51 PM
To: Glenn.Pomerantz@mto.com; Turner, Robert C.
Cc: Eaton, Mary
Subject: Arista v. LimeWire

Dear Glenn:

Counsel for Yahoo! Inc., one of the non-parties that Defendants subpoenaed, raised an issue with regard to the protective order in this case. Specifically, Rob Turner of Winston & Strawn (copied on this e-mail) expressed concern that the protective order allows documents designated as "Confidential" or "Attorneys' eyes only" to be disclosed to in-house counsel for the parties. Yahoo! is ready to produce agreements between it and Plaintiffs that are responsive to Defendants' Subpoena, but does not want copies of its agreements with one Plaintiff, e.g., Sony, being shared with in-house counsel for other Plaintiffs not affiliated with Sony.

In our view, that is a legitimate concern. To ameliorate that concern and enable Yahoo! to produce documents pursuant to the Subpoena, we wanted to see if you would be willing to enter into a Stipulation stating that you will not share copies of agreements between Yahoo! and any plaintiff with in-house counsel for other plaintiffs. We can work on exact language later, but I wanted to check first whether that concept were acceptable to you and your clients? Please let us know your views as quickly as possible so that we may facilitate the production of documents by Yahoo! here. Many thanks.

Rob: please chime in if I have misstated your client's position in any way.

Regards,
Dan

Dan C. Kozusko
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019
(212) 728-8694 (phone)
(212) 728-9694 (fax)
dkozusko@willkie.com

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